



S/N 09/938,279

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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(signature)

Applicant: Su, Kai

Examiner: Vargot, M.

Serial No.: 09/938,279

Group Art Unit: 2841

Filed: August 23, 2001

Docket No.: 60049.0009USI2

Title: *Apparatus and Method for Filling a Mold for Manufacturing an Ophthalmic Lens*

**TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Petitioner, Technology Resources International Corporation ("TRI"), a corporation organized and existing under the laws of the State of Georgia and having its primary place of business at 1525 Bluegrass Lakes Parkway, Alpharetta, Georgia 30004, in the county of the United States of America and the state of Georgia, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/938,279, filed on August 23, 2001, and entitled "Apparatus and Method for Filling a Mold for Manufacturing an Ophthalmic Lens," by virtue of its assignment recorded on August 16, 1999, at Reel 010166, Frame 0723.

TRI hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend

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beyond the expiration date of the full statutory terms of U.S. Patent Nos. 6,099,764 and 6,068,464 and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patents shall be the same as the legal title to U.S. Patent No. 6,099,764 and also to U.S. Patent No. 6,068,464, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, TRI does not disclaim the terminal part of any patent granted on Application Serial No. 09/938,279 that would extend to the full term as provided above of U.S. Patent Nos. 6,099,764 or 6,068,464 in the event that any such patent: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR § 1.321(a); has all claims cancelled by a reexamination certification; or is otherwise terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned is an attorney of record.



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Please charge the statutory fee pursuant to 37 C.F.R. § 1.20(d) of \$55.00 for a
small entity and any additional fees that may be required or credit any overpayment to
Deposit Account No. 13-2725.

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Respectfully Submitted,

MERCHANT & GOULD, LLC

By:

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Reg. No. 40,274

August 1, 2003

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